

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 KIMBERLY GUERRA,) Case No. CV 14-01516 DDP (MANx)
12 Plaintiff,)
13 v.) **ORDER TO SHOW CAUSE WHY THIS
14 LIFE INSURANCE COMPANY OF
NORTH AMERICA,) ACTION SHOULD NOT BE DISMISSED
15) FOR LACK OF SUBJECT MATTER
16 Defendant.) JURISDICTION
) [DKT No. 1]
)**

18 Plaintiff Kimberly Guerra is ordered to show cause why this
19 action should not be dismissed for lack of federal subject matter
20 jurisdiction.

21 District courts have "original jurisdiction of all civil
22 actions arising under the Constitution, laws, or treaties of the
23 United States." 28 U.S.C. § 1331. Alternatively, district courts
24 may exercise diversity jurisdiction when there is complete
25 diversity between the parties and the amount in controversy exceeds
26 \$75,000. 28 U.S.C. § 1332. Complete diversity means that each of
27 the plaintiffs must be a citizen of a different state than each of
28 the defendants. *Caterpillar Inc. v. Lewis*, 519 U.S. 61, 68 (1996).

1 "A corporation shall be deemed to be a citizen of any State by
2 which it has been incorporated and the State where it has its
3 principal place of business." 28 U.S.C. 1332(c)(1). A
4 corporation's principal place of business is its "nerve center,"
5 that is the place where a corporation's officers direct, control,
6 and coordinate the corporation's activities. Hertz Corp. v.
7 Friend, 559 U.S. 77, 92-93 (2010).

8 Here, the Complaint simply states that the Plaintiff is a
9 citizen of the United States, but does not indicate Plaintiff's
10 state of citizenship. Nor does the Complaint indicate Defendant's
11 principal place of business.

12 Accordingly, Plaintiff is ordered to file a brief, not to
13 exceed five pages, within 10 days of the date of this order,
14 showing why this action should not be dismissed for lack of federal
15 subject matter jurisdiction. Plaintiff should also deliver a
16 courtesy copy to chambers, Room 244-J, Second Floor, 312 N. Spring
17 Street, Los Angeles. The court will regard any failure to file an
18 explanatory brief as consent to dismiss this matter.

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20 IT IS SO ORDERED.

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23 Dated: March 13, 2014
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DEAN D. PREGERSON

United States District Judge